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FISCAL IMPACT REPORT

SPONSOR Wallace DATE TYPED 02/05/05 HB 310

SHORT TITLE Legislative Appropriation of Certain Funds SB _____

ANALYST McSherry

REVENUE

Estimated Revenue		Subsequent Years Impact	Recurring or Non-Rec	Fund Affected
FY05	FY06			
	NFI			See Narrative

(Parenthesis () Indicate Revenue Decreases)

Relates to House Bill 306, which either repeals or extends the sunset clause for each of the boards and commissions included in this bill for proposed language amendments.

SOURCES OF INFORMATION

LFC Files
 Regulations and Licensing Department (RLD)
 New Mexico Livestock Board (NMLB)
 New Mexico Gaming Control Board (NMCCB)
 New Mexico Environment Department
 for the Legislative Finance Committee

SUMMARY

Synopsis of Bill

House Bill 310 proposes language to specify that funds collected in a board or commission fund are “subject to appropriation by the legislature.”

Proposed language states that the following boards and commissions’ funds are appropriated by the legislature: the Crime Victims Reparation Fund, the Athletic Commission Fund, the Nutrition and Dietetics Fund, the Counseling and Therapy Practice Board Fund, the Board of Examiners and Occupational Therapy Fund, the Massage Therapy Fund, a special fund maintained by the State Treasurer for use in defraying expenses of administration of the Nursing Home Administrators Act, the Fund of the Board of Veterinary Medicine, the Board of Acupuncture and Oriental Medicine Fund, the Speech Language Pathology, Audiology and Hearing Aid Dispensing Practices Board Fund, the Athletic Trainer Practice Board Fund, the Radiologic Technology Fund, the Board of Examiners for Architects Fund, the Barbers and Cosmetologists Fund, Professional

Engineers and Surveyors' Fund, the Landscapes Architects Fund, the Private Investigator and Polygrapher Fund, the Public Accountancy Fund, the Real Estate Commission Fund, the Appraiser Fund, the Thanatopractice Fund, the Water Quality Management Fund, and the Interim Receipts and Disbursements Fund.

Significant Issues

All language proposed amends language regarding funds that are already subject to appropriation by the legislature and in effect, no change from current practice would be caused by the proposed amendments.

FISCAL IMPLICATIONS

There should be no fiscal implications due to the proposed language changes in House Bill 310, other than the clarification of the relationship of the legislature to the funds generated and retained by NM boards and commissions.

ADMINISTRATIVE IMPLICATIONS

There should be no administrative implications due to the proposed changes in House Bill 310.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

House Bill 310 relates to House Bill 306, which either repeals or extends the sunset clause for each of the boards and commissions included in this bill for proposed language amendments

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?

If House Bill 310 is not passed, the boards and commissions affected will still be subject to appropriation by the legislature, however the language included in each board and commission statute will not specifically recognize the role of the legislature.

EM/sb